

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 349 – SB 554

February 16, 2017

SUMMARY OF BILL: Changes the standard for when a court may terminate parental rights to a child, when the child was conceived as a result of the parent committing the offense of aggravated rape, rape, rape of a child, or a similar offense in another state, from a criminal conviction to clear and convincing evidence that the rape occurred. Establishes that a certified copy of the judgement of conviction is conclusive proof of this ground for termination of parental rights.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 36-1-113(g)(10), a ground for termination of parental rights exists if a child is conceived as a result of the offense of aggravated rape, rape, or rape of a child and that parent is convicted of those offenses.
- The proposed legislation removes the requirement of conviction and allows for termination of parental rights based upon a finding of clear and convincing evidence that the child was conceived as a result of such offenses.
- Based on information provided by the Administrative Office of the Courts, any fiscal impact to the courts is estimated to be not significant and can be absorbed within existing judicial resources.
- Based on information provided by the Department of Children's Services, the proposed legislation will have no effect on policies or procedures; any fiscal impact is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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